



# SB 123 Conference

KANSAS SENTENCING COMMISSION

JUNE 2019- SPRING EDITION

# Mission Statement

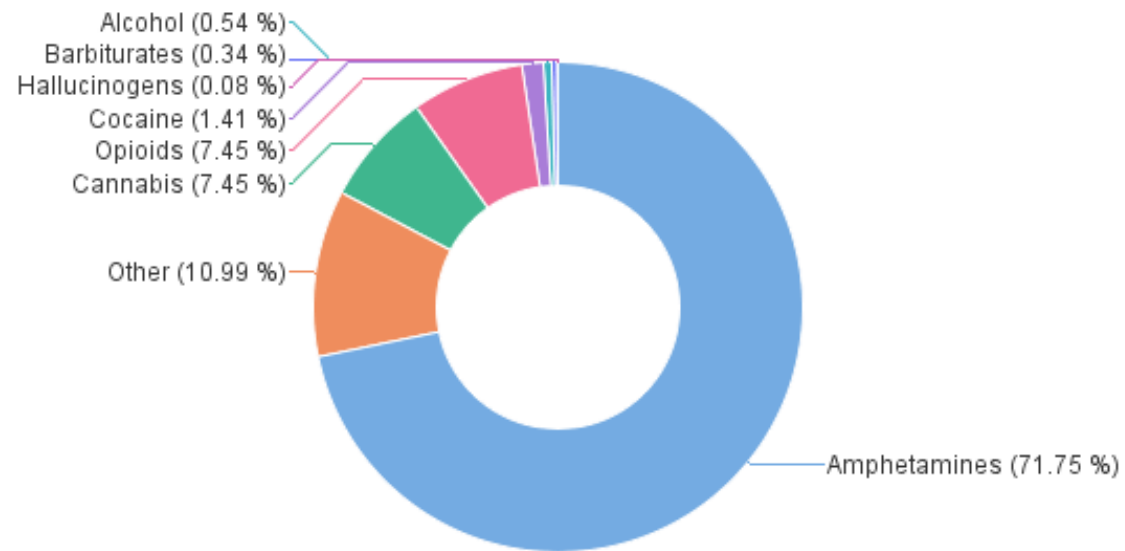
- ▶ The mission of the SB 123 Program is to ensure **public safety** while effectively addressing prison **recidivism** by providing community-based substance abuse treatment to targeted, non-violent, drug offenders having substance abuse disorders.

# Overview

- ▶ SB 123 was approved during the 2003 Legislative session and implemented in FY 2004, with the goal of treating non-violent drug offenders and reserving prison sentences for those offenders who commit serious, violent crimes.
- ▶ The program provides funding to eligible offenders for community-based substance abuse treatment.
- ▶ The program is maintained through coordinated efforts among the Kansas Sentencing Commission, Community Corrections, Court Services, and treatment providers.

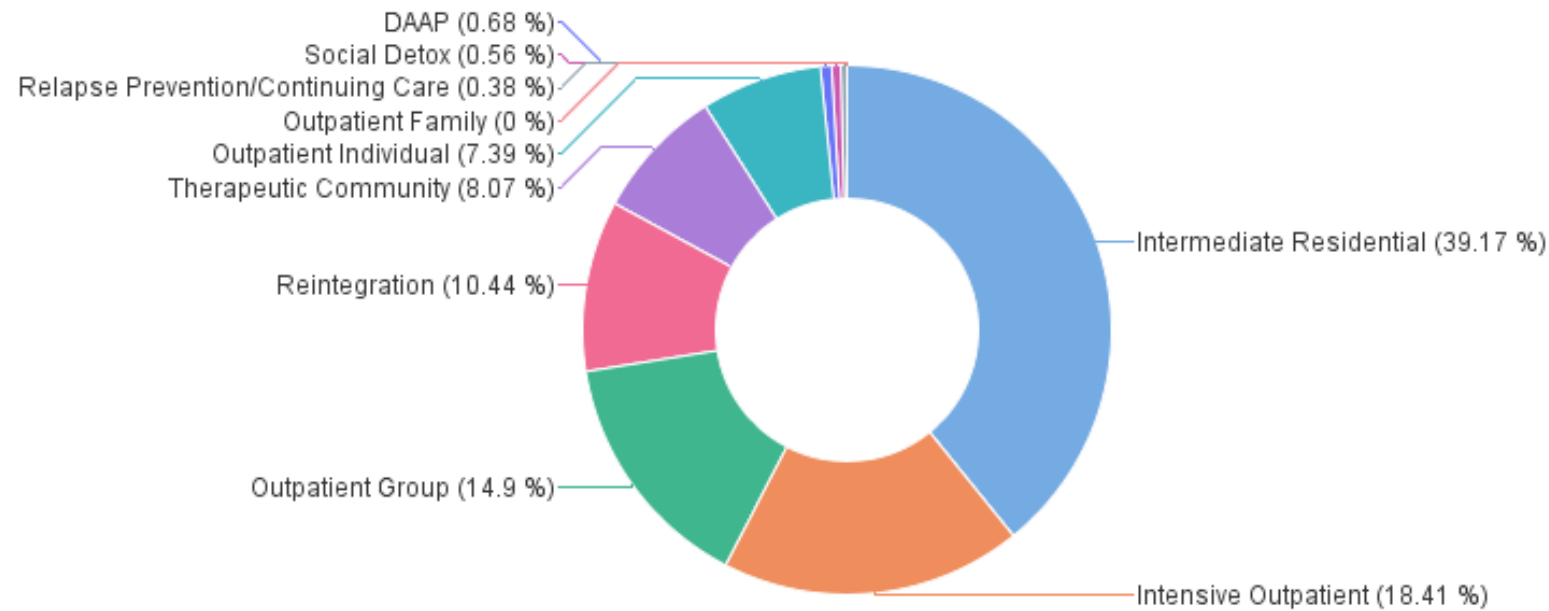
# Trends

Total Paid Amount by Diagnosis



# Trends

Total Paid Amount by Service



# Trends

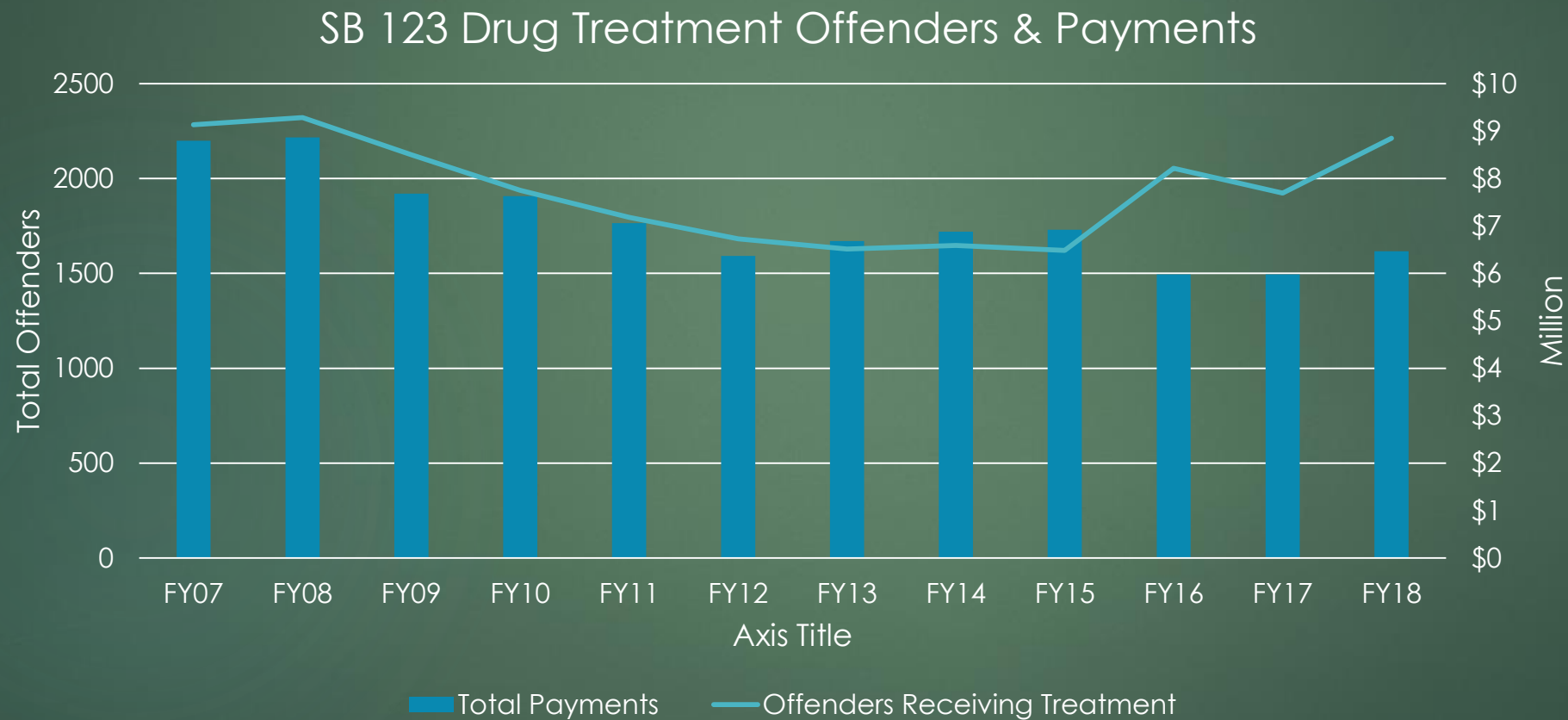
## ► FY 18

- Total Offenders- 2213
  - With Treatment- 1777
- Total Invoices Paid- 8,790
- Cost Per Offender- \$3,713.61
- Total Amount Paid- \$6,472,917.50

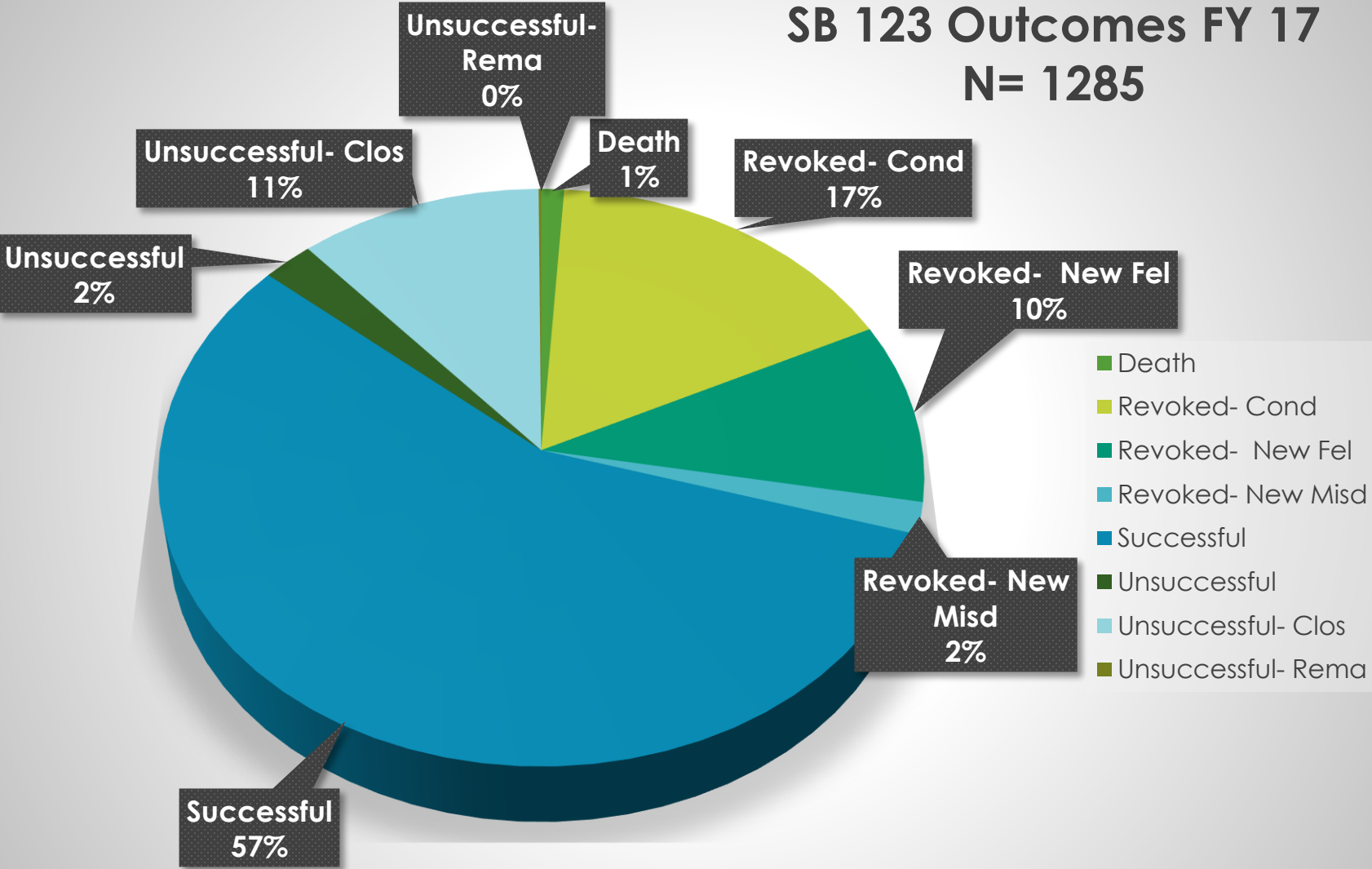
## FY 19- Oct 1, 2019- Present

Service	Total Paid Amount	Offender Count	Cost/Offender
Intermediate Residential	\$1,296,305.67	400	\$3,241
Intensive Outpatient	\$609,135.91	332	\$1,835
Outpatient Group	\$493,206.06	679	\$726
Reintegration	\$345,408.00	152	\$2,272
Therapeutic Community	\$267,150.00	23	\$11,615
Outpatient Individual	\$244,627.20	715	\$342
DAAP	\$22,390.25	132	\$170
Social Detox	\$18,375.00	30	\$613
Relapse Prevention/Continuing Care	\$12,506.25	79	\$158
Outpatient Family	\$150.00	2	\$75
	<b>\$3,309,254.34</b>	<b>1228</b>	<b>2694.832524</b>

# Trends



**SB 123 Outcomes FY 17**  
**N= 1285**





# Treatment

- ▶ Modalities and Cost Caps
  - ▶ No changes at this time
  - ▶ *Pending: Future Considerations*
    - ▶ Expansion & Addition of New Modalities
      - ▶ Peer Mentorship
      - ▶ Dual Diagnosis
      - ▶ IOP
- ▶ Summary of Modalities and Cost Caps updated on website

# Partnership with Beacon Health Options

- ▶ As of July 2018, KSSC and the SB 123 Program partnered with Beacon Health Options to provide invoice processing and payment
- ▶ Goals
  - ▶ Streamline billing process
  - ▶ Reduce unnecessary paperwork and process steps
  - ▶ Increase ability to audit and ensure appropriate use of funds
  - ▶ Increase speed of payment
  - ▶ Foster positive and productive relationships among stakeholders

# Partnership with Beacon Health Options

- ▶ Beacon receives uploaded information from KSSC through secured http portal
  - ▶ Information from TOADS (KDOC) & OJA for pre and post sentence eligibility
    - ▶ Currently only Post-sentence data is available
  - ▶ Information updated daily
  - ▶ KSSC monitors and audits billing activity

# Interesting Findings

- ▶ 3<sup>rd</sup> Cases
- ▶ Non-conforming Eligibility Cases
- ▶ Probation Extension & “Creative Sentencing”
- ▶ Utilization Monitoring
  - ▶ Need for outreach, education, trainings
  - ▶ Certification Review & Remediation
  - ▶ Form & Assessment Updates
- ▶ Harder than we thought!
  - ▶ This will be a process
  - ▶ We are here to help!!!

# Operations Manual

- ▶ 2018 Operations Manual
  - ▶ Online Only
  - ▶ No Supplements
  - ▶ Forms will continue to be posted separately for convenience
    - ▶ Please utilize newest forms
  - ▶ Notification of updates will be made on the website or by email
  - ▶ Previous Operations Manual will apply to invoices on *services provided* through September 30, 2018

# Eligibility

## ► Big New for Small Sales

### ► SB 18 Expanded Eligibility to Level 4 Distribution

► “The bill expands eligibility for the nonprison sanction of placement in a certified drug abuse treatment program to include offenders **convicted of a controlled substance cultivation or distribution offense that falls within existing severity level and criminal history categories eligible for such treatment** for controlled substance possession offenses. These categories include **drug severity level 5 offenses without certain previous convictions and drug severity level 4 offenses with a criminal history score of E or lower without certain previous convictions.** [Note: Under continuing law, Kansas’ sentencing guidelines for drug crimes utilize a grid containing the crime severity level (1 to 5, 1 being the highest severity level) and the offender’s criminal history score (A to I, A being the highest criminal history score) to determine the presumptive sentence for an offense. There is no current cultivation or distribution offense with drug severity level 5. An offender is classified as criminal history level E if the offender has at least three nonperson felonies, but no person felonies.] These provisions **take effect July 1, 2019.**”

► July 1, 2019

# Eligibility

- ▶ SASSI score of High Probability
- ▶ LSI-R composite score of 24 or greater
- ▶ *Nothing prohibits evaluation and treatment for those not eligible for SB 123 funding*

# Assessment

- ▶ The ASI is no longer required in any capacity
- ▶ SASSI IV (by January 1, 2019)
  - ▶ To be administered and scored by Court Services, Community Corrections, or Treatment Provider
    - ▶ For post-sentence SASSI-only billing, use ProviderConnect
  - ▶ Invalid scores
- ▶ Clinical Interview
  - ▶ ASAM Criteria
  - ▶ Must summarize dimensions to establish need for treatment
- ▶ Summary Form
  - ▶ Updated
  - ▶ Community Corrections signatures no longer required
  - ▶ Captures SASSI IV RX Drug sub-score and RAP score
  - ▶ Mental Health Screen Question



# Assessment

- ▶ SB 123 will fund one assessment per case
- ▶ NOTE: Concurrent or closely consecutive sentences may not require a 2<sup>nd</sup> assessment
- ▶ RIP: KCPC

# Assessment

- ▶ Please ensure assessments are complete and conform to eligibility requirements (or explain lack of conformity)
- ▶ Offender Reimbursement Payments
  - ▶ Please use most current form
- ▶ Liability & Reporting
  - ▶ Mental Health
  - ▶ Mandatory Reporting
  - ▶ Transmission of PHI (HIPAA)

# Program Requirements

## ▶ Community Corrections

### ▶ Responsibilities

#### ▶ TOADS Data

- ▶ KBI Number, DOB, KDOC Number
- ▶ Pre- & Post-Sentence Assignment

### ▶ Treatment Referral/Placement

### ▶ Paperwork

- ▶ Receive *Summary Form* and retain copy in offender file
- ▶ *Client Placement Agreement*
- ▶ Acknowledgement of Responsibilities (to replace *Provider Agreement*)
- ▶ Receive and retain *Monthly Progress Report*

# Program Changes

- ▶ Community Corrections
  - ▶ Responsibilities
    - ▶ Communicate with Treatment Provider
      - ▶ Continued Stay Review (for all inpatient stays beyond 21 days)
      - ▶ ISO to collaborate with treatment provider and assist in submission of Continued Stay Request
      - ▶ ISO to be notified of changes to Level of Care
      - ▶ Absconding- Notify within 2 business days
    - ▶ View Offender Activity in Beacon ProviderCONNECT System
    - ▶ Comply with Audit Process

# Program Changes

- ▶ Community Corrections
  - ▶ What you will continue to do:
    - ▶ Send offender reimbursement checks to KSSC
      - ▶ Please use most current form & discourage offenders from sending checks
    - ▶ Provide information regarding offender Insurance to Treatment Provider and KSSC via Client Placement Agreement
    - ▶ Enter Interventions in TOADS
    - ▶ Collaborate with Treatment Providers
  - ▶ What you won't be doing:
    - ▶ Signing invoices
    - ▶ Making clinical decisions regarding Level of Care
    - ▶ Monthly Meetings
    - ▶ Rejected Invoices

# Program Changes

## ▶ Treatment Providers

### ▶ Responsibilities

- ▶ Provide access to assessment and treatment in a timely manner
- ▶ Provide treatment in accordance with certification & licensure requirements
  - ▶ *Must be certified by KDOC & hold license appropriate to education/training*
  - ▶ Best Practices & Standard of Care
- ▶ Bill all **services rendered** Beacon Health Options' ProviderCONNECT System
  - ▶ Paid by Beacon directly
  - ▶ Payments in 1-2 weeks on average
  - ▶ **Timely filing = 45 days from date of service or issuance of EOB**
  - ▶ Exception: Pre-sentence Assessment
- ▶ Notify ISO of changes to Level of Care, Recommendations for Treatment, UA results, Etc.
  - ▶ Monthly Progress Report Form
  - ▶ As needed, in writing
- ▶ Comply with KSSC and KDOC Audit Process
  - ▶ Retain Offender Records for no less than 7 years

# Program Changes

- ▶ Treatment Providers

- ▶ Certification

- ▶ KDOC standards for certification
    - ▶ KDADS & BSRB licensure requirements
    - ▶ New provider paperwork with KSSC
    - ▶ All practice to be within scope of training and licensure

- ▶ Cost Caps

- ▶ No additional fees to be charged to offender in excess of negotiated rates for covered services
      - ▶ Exceptions: Drug Abuse Education & Reintegration
    - ▶ “Successful Completion” of programming

# Program Changes

- ▶ KSSC Role
  - ▶ Auditing
  - ▶ Policy and Procedure
  - ▶ Assistance and Appeals
  - ▶ Research
  - ▶ Future Directions
- ▶ WE ARE HERE TO HELP!!!



# Future Directions

- ▶ Tele-psych Project
- ▶ Funding for New & Expanded Modalities
- ▶ Expansion to Level 4 Eligibility
- ▶ Training & Housekeeping

# SB 123 Conference

- ▶ Resources
  - ▶ Operations Manual & KSSC Website
  - ▶ Beacon Health Options
  - ▶ KDOC Standards & Certification

# Thank You

- ▶ On behalf of the SB 123 Team, thank you for doing your part to make this program a success and improve the lives and safety of Kansas citizens.

# Questions?

- ▶ Contact Information

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- ▶ <https://sentencing.ks.gov>